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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,538	11/30/2001	Huy P. Nguyen	PALM-3778	9994

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EXAMINER

FOULADI SEMNANI, FARANAK

ART UNIT	PAPER NUMBER
2674	13

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,538

Applicant(s)

NGUYEN ET AL.

Examiner

Faranak Fouladi

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application, filed on 11/30/01; IDS, filed on 5/23/03 and Amendment A, filed on 12/01/03; RCE and Amendment B filed on 04/16/04.
2. Claims 1-20 are pending in the case, with claims 1, 8 and 16 being independent.
3. The present title of the application is "Handheld computer having moveable segments that are interactive with an integrated display" (as originally filed).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Iwata et al. U.S Patent 6,535,749 (hereafter, Iwata).

6. Regarding Independent claim 1, "a handheld computer comprising: a processor module comprising a processor and a display [Iwata disclose in col. 13 line 7 and line 12-15 and in Fig. 3]; a sliding display cover moveably coupled to said processor module [Iwata disclose in col. 8 line 35]; a sensing device coupled to said processor module and to said sliding display cover for providing geometric information indicating a relative position of said display with respect to an edge of said sliding display cover, wherein said geometric information is provided for a plurality of positions [Iwata disclose in col. 5 line 63-64]; and, a device driver for performing an action in response to a signal, wherein said action is selected based upon the position of said edge relative to said display." [Iwata discloses in col. 5 lines 64-67].
7. Regarding dependent claim 2, "the handheld computer of claim 1, wherein said action is a visual configuration of said display." Iwata disclose in col. 5 lines 63-64.
8. Regarding dependent claim 3, "the handheld computer of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with another device using said wireless transmitter."

Iwata disclose in Fig. 3 a "*radio transmission*" which is interpreted to be "wireless transmitter" and further Iwata disclose "wherein said action is the initiation of communication with another device using said wireless transmitter." in col. Col. 1

line 42-56 by stating *"Telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1.*

Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area covered by cover 7. A telephone mode and an electronic note mode are switched based on the output from a cover switch 9, which detects the opened/closed status of cover 7. When the cover is closed, the telephone mode is set, enabling the user to use the equipment as a regular mobile telephone. Meanwhile, the electronic note mode is set as the cover is opened, thus allowing the user to use it as an ordinary electronic note."

9. Regarding dependent claim 4, "the handheld computer of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with an external device, using said wireless transmitter." Iwata disclose in col.1 line 42-56.
10. Regarding dependent claim 5, "the handheld computer of claim 1, wherein said sensing device is a non-contact sensor device." Iwata disclose in col. 28 lines 59-60 by stating *"a means for detecting the door opened/closed"* and therefore sensing device could be a non-contact sensor device.

11. Regarding dependent claim 6, "the handheld computer of claim 1, wherein said display is a touch panel display forming a part of said sensing device." Iwata disclose in col. 29 lines 63-65.
12. Regarding dependent claim 7, "the handheld computer of claim 1, wherein said sliding cover comprises an input device coupled to said processor module." Iwata disclose in col. 1 line 46-48.
13. Claims 8 -10 recite method steps performed by the apparatus of claims 1 and 3; therefore they are similar in scope and rejected under the same rationale.
14. Regarding dependent claim 11, "a method as described in claim 8 wherein said action is a display of related additional information to said portion of said information." Iwata disclose in col. 7 lines 34-42 and col. 54-58.
15. Regarding dependent claim 12, "a method as described in claim 8 wherein said selection device is a key." Iwata disclose in col. 8 lines 31-35.
16. Regarding dependent claim 13, "a method as described in claim 8 wherein said sliding cover comprises a keyboard." Iwata disclose in col. 1 line 46-48 and col. 22 lines 64-65.

17. Regarding dependent claim 14, "a method as described in claim 8 wherein said sliding cover further comprises a microphone." Iwata disclose in col. 8 lines 11-

16.

18. Regarding dependent claim 15, "a method as described in claim 8 wherein said sliding cover further comprises a speaker." Iwata disclose in col. 8 lines 11-16.

19. Claims 16-20 recite a computer readable medium containing executable instructions for executing the method of claims 8-11. It is inherent to have a medium configured to store or transport computer readable code in a computer system. For example compact disc has been included and used in the computer systems since 1990s or magnetic data storage devices have been used since 1980s. Also Iwata disclose a software application included in his handheld computer in col. 30 lines 58 – col. 31 line 10.

Response to Arguments

20. The 35 U.S.C. 112, first paragraph rejection is withdrawn.

21. Applicant's arguments filed 04/16/04 have been fully considered but they are not persuasive.

22. Applicant argues on page 12 "...Iwata does not teach or recite sensing the relative position of a display with respect to the edge of a sliding display cover..." Iwata discloses in col. 12 lines 37-40 "...cover 7 moves (slides) up and down

along the plane surface on the drawing shown in FIG. 1 and FIG. 2.” and further disclose in col. 12 lines 45-50 “...as a location detector for detecting a location of cover 7, a cover switch 9 is employed. Cover switch 9 detects the opened/closed status of cover 7, and if the cover is in the closed status, telephone mode is set.” The location detector as illustrated in Fig. 2 is on the edge of the sliding cover and therefore indicates the relative position of display with respect to the edge of sliding display cover.

Applicant further argues on page 12, “...Iwata does not teach or suggest sensing the relative position of a display with any portion of a cover but merely whether the cover is in an open or closed position.” Since “relative position of said display with respect to an edge of said sliding display cover” is a broad limitation it includes open and closed position as well.

Applicant continues on page 12, “...Iwata does not teach or suggest selecting an action based upon the position of the edge of the sliding cover relative to the display.” Examiner disagrees because Iwata selects to set the information terminal mode (an action) or to set the telephone mode (another action) based upon the position of the edge of the sliding cover relative to the display (col. 12 lines 47-50).

23. Regarding claim 2, applicant argues on page 13, “...Iwata does not teach or suggest limitation recited in claim 2 of a handheld computer which performs a visual configuration of the display in response to a signal and based upon the

position of the edge of the sliding display cover relative to the display.” Examiner disagrees because Iwata disclose visual configuration of the display in response to setting the mobile information terminal equipment to a mobile telephone by exposing only the bottom part of the display for use in col. 12 lines 51-55.

24. Regarding claim 3, applicant argues on page 14, “...Iwata does not teach or suggest the claim limitation recited in claim 3 of a wireless transmitter which initiates communication with another device in response to a signal and wherein the initiation is selected based upon the position of the edge of a sliding display cover relative to the display.”

Iwata disclose in Fig. 3 a “*radio transmission*” which is interpreted to be “wireless transmitter” and further Iwata disclose “wherein said action is the initiation of communication with another device using said wireless transmitter.” in col. Col. 1 line 42-56 by stating “*Telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1.*

*Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area covered by cover 7. **A telephone mode and an electronic note mode are switched based on the output from a cover switch 9,** which detects the opened/closed status of cover 7. When the cover is closed, the telephone mode is set, enabling the user to use the equipment as a regular mobile telephone. Meanwhile, the electronic note mode is set as the cover is opened, thus allowing the user to use it as an ordinary electronic note.”*

25. Regarding claim 4, applicant argues on page 15, "...Iwata does not teach or suggest the claim limitation recited in claim 4 of a wireless transmitter which initiates communication with an external device in response to a signal and wherein the initiation is selected based upon the position of the edge of a sliding display cover relative to the display." Response is similar to above response for claim 3 and furthermore, external device could be another mobile telephone and initiating communication could be dialing the phone number to the other mobile telephone.

26. Regarding claim 5, applicant argues on page 16, "...Iwata does not teach or suggest the claim limitation recited in claim 5 of a handheld computer having a non-contact sensor device which provides geometric information indicating a relative position of the edge of the sliding display cover relative to the display." Iwata disclose in col. 28 lines 59-60 by stating "*a means for detecting the door opened/closed*" and therefore sensing device could be a non-contact sensor device.

27. Regarding claim 6, applicant argues on page 16, "...Iwata does not teach or suggest the claim limitation recited in claim 6 of a handheld computer having a touch panel display forming a part of said sensing device." Examiner disagrees

because Iwata disclose in col. 29 lines 63-65 a touch screen for detecting a user's touch input.

28. Regarding claim 7, applicant argues on page 17, "...Iwata does not teach or suggest the claim limitation recited in claim 7 of a handheld computer having a sliding cover comprising an input device coupled to a processor module."

Examiner disagrees because Iwata disclose in col. 1 line 44- 55 *"telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1. Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area covered by cover 7. A telephone mode and an electronic note mode are switched based on the output from a cover switch 9, which detects the opened/closed status of cover 7. When the cover is closed, the telephone mode is set, enabling the user to use the equipment as a regular mobile telephone. Meanwhile, the electronic note mode is set as the cover is opened, thus allowing the user to use it as an ordinary electronic note."*

29. There is a numbering error on page 18 line 23 of amendment; "Claim 7 also overcomes..." should read "Claim 8 also overcomes..."

30. Regarding the arguments presented for claims 8-15, applicant has repeated the claims limitations following the statement "Iwata does not teach or suggest the claim limitation recited in claim". Applicant has not provided a strong argument to show the differences between the prior art of the record, Iwata, and the claimed

invention as claimed in claims 8-15. Therefore claims 8-15 are still rejected under 35 U.S.C. § 102(e).

31. Regarding claim 16, applicant argues on page 25, "...Iwata only teaches sensing whether a cover is in an open or closed position. In other words, Iwata teaches determining an absolute position status (open or closed) rather than determining the relative position of the cover with reference to the processor module." Iwata disclose in col. 5 lines 60-67 "...a location detector for detecting a location of the slide cover, and a display switch for changing a size of the display area for displaying information and a displaying direction of information according to the location of the slide cover detected by the location detector."

Also, "the relative position" is a broad limitation and can include open/close positions as well.

32. Regarding the arguments presented for claims 17-20, applicant has repeated the claims limitations following the statement "Iwata does not teach or suggest the claim limitation recited in claim". Applicant has not provided a strong argument to show the differences between the prior art of the record, Iwata, and the claimed invention as claimed in claims 17-20. Therefore claims 17-20 are still rejected under 35 U.S.C. § 102(e).

Conclusion

Art Unit: 2674

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Faranak Fouladi** whose telephone number is **703-305-3223**. The examiner can normally be reached on Mon-Fri from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe** can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

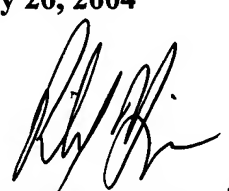
Washington, DC. 20231

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Faranak Fouladi-Semnani
Patent Examiner
Art Unit 2674
July 26, 2004


RICHARD HJERPE 8/5/04
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600